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IN THE UNITED STATES DISTRICT COURT APR 19 2009
FOR THE MIDDLE DISTRICT OF TENNESSEE S. DISTRICT COURT
NASHVILLE DIVISION MID DIST. TENN.

JACK CASEY SISEMORE,
Plaintiff,

v.

UNITED STATES OF AMERICA,
Defendant.

NO. 3:09-279
JUDGE HAYNES

MOTION FOR RECONSIDERATION

COMES NOW, Jack Casey Sisemore, Plaintiff, pro-se, and respectfully prays this Honorable Court reconsider the ORDER issued in the aforementioned case number entered on 07-April-2009. Pursuant to the ORDER, it is stated that Plaintiff filed this action under 28 U.S.C. §2241. This, however, is not the case. Mr. Sisemore petitioned this Honorable Court to consider this action under their jurisdiction as sentencing court in a Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. §2255.

Plaintiff has exhausted his administrative remedies, and the contention of the F.B.O.P. is that the imposition of the sentence is in error, not the execution. Therefore, Plaintiff, Mr. Sisemore is required to file his §2255 petition before his sentencing court, and not the court in the district where he is confined.

WHEREFORE, Mr. Sisemore prays this Honorable rescind the ORDER issued on this action on 07-April-2009, and reconsider the motion pursuant to 28 U.S.C. §2255 as it was filed.

Respectfully Submitted,

s/ Jack Casey Sisemore
Jack Casey Sisemore, Pro-Se

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ORDER
This motion is
GRANTED, although the
Plaintiff filed this action
under 28 U.S.C. §2255,
the Plaintiff's claim
concerns
the manner
in which
his
sentence
is
served
that
falls under
28 U.S.C.
§2241.
The order
of dismissal
is AFFIRMED
L. H. J. J.
KST
6-17-09